

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

YOLANDA MARIE HERBERT,
Personal Representative of the Estate of
MARIE HERMINIE BARRON, Deceased,

Plaintiff,

No. 09-CV-12314-DT

vs.

Hon. Gerald E. Rosen

DANNIE RAY BAKER, LT. THOMAS
DIAZ, and OFFICER JOHN HANKINS,

Defendants.

ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on January 14, 2010

PRESENT: Honorable Gerald E. Rosen
Chief Judge, United States District Court

This matter having come before the Court on the November 5, 2009 Report and Recommendation of United States Magistrate Judge Michael Hlunchaniuk, recommending that Plaintiff's Motion to Set Aside the Stipulation and Order entered in the State court prior to removal of this action be denied, without prejudice; and no objections to the Magistrate Judge's Report and Recommendation having been filed by any party; and the Court being fully advised in the premises,

NOW, THEREFORE,

IT IS HEREBY ORDERED that the Magistrate Judge's Report and

Recommendation of November 5, 2009 [**Dkt. # 37**] is adopted by the Court.

IT IS FURTHER ORDERED that Plaintiff's Motion to Set Aside Stipulation and Order [**Dkt. # 25**] is DENIED, without prejudice.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: January 14, 2010

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 14, 2010, by electronic and/or ordinary mail.

s/Ruth Brissaud
Case Manager